

**TOWN OF CHARLESTOWN  
PUBLIC NOTICE**

**MONTHLY TOWN COUNCIL MEETING – November 12, 2013 at 7:00 p.m.**

**Charlestown Town Hall, 4540 South County Trail, Charlestown, RI**

The regular monthly meeting of the Charlestown Town Council will be held on November 12, 2013 at 7:00 p.m. at the Charlestown Town Hall, 4540 South County Trail, Charlestown, RI. The proposed agenda is as follows:

**1. CALL TO ORDER, Moment of Silence, Pledge of Allegiance**

**2. ROLL CALL**

**Motion to move items 10a, 10b, 10c, 12, 18a, 18i, 8a and 8b to be heard next on the agenda**

**10. COUNCIL SITTING AS BEVERAGE LICENSING BOARD**

a. Public hearing and potential action on the following applications for beverage license:

**CHARLESTOWN PACKAGE STORE, INC.** d/b/a “Charlestown Wine & Spirits”, to apply to premises located at 4625 Old Post Road – Class A. Designated premises: building only; daily November 1 through May 31 from 7:00 am to 10:00 pm, June 1 through October 31 from 7:00 am to 11:00 pm, and until 11:00 pm on eve of legal holiday or on Saturday eve where a legal holiday falls on Monday

**SERRA, RICHARD C.** d/b/a “Rippy’s Liquor & Marketplace”, to apply to premises located at 4158 South County Trail– Class A. Designated premises: building only; daily from 7:00 am to 10:00 pm

**BIRDMAR ENTERPRIZES, INC.** d/b/a “The Cove”, to apply to premises located at 3963 Old Post Road – Class BV Full. Designated premises: restaurant and deck only; daily from 11:30 am to 1:00 am

**CHARLESTOWN WILLOWS** d/b/a “Foster Pier Restaurant”, to apply to premises located at 5310 Old Post Road– Class BV Full. Designated premises: restaurant and deck, special wedding area (adjacent to water), clambake house, adjacent to cottage #130, dockside building, and enclosed pool area; daily from 7:30 am to 11:00 pm

**MGMR GROUP, INC.** d/b/a/ “Meadow Brook Inn”, to apply to premises located at 168 Carolina Back Road– Class BV Full. Designated premises: restaurant and formal garden area only; daily from 10:00 am to 12:00 am

**NORDIC LODGE, INC.** d/b/a/ “Nordic Lodge”, to apply to premises located at 178 East Pasquisset Trail – Class BV Full. Designated premises: restaurant and area between rear of restaurant and pond; Friday from 4:00 pm to 11:00 pm, Saturday from 11:00 am to 11:00 pm, and Sunday from 12:00 pm to 9:00 pm

**OLD WILCOX TAVERN, INC.** d/b/a/ “Wilcox Tavern”, to apply to premises located at 5153 Old Post Road– Class BV Full. Designated premises: restaurant and patio area only; daily from 5:00 pm to 10:00 pm

**MARR, CRAIG T.** d/b/a “The Breachway Grill LLC”, to apply to premises located at 1 Charlestown Beach Road – Class BV Full. Designated premises: Indoor Restaurant Space and Outdoor Patio Space only; daily from 11:30 am to 12:50 am

**C & E PIZZA, INC.** d/b/a “Famous Pizza”, to apply to premises located at 3986 Old Post Road – Class BV Limited. Designated premises: restaurant only; daily from 11:00 am to 9:00 pm

**FIGARSKY, COURTNEY** d/b/a “The Gentleman Farmer”, to apply to premises located at 4349 South County Trail – Class BV Limited. Designated premises: restaurant and deck/patio only; daily from 6:00 am to 8:00 pm

**G.J.S.I., INC.** d/b/a “General Joseph Stanton Inn” to apply to premises located at 4115 Old Post Road – Class BV Tavern. Designated premises: patio area abutting tavern enclosed by tarmac and stone wall, snack bar and patio area in front of the snack bar/house and lawn abutting the Inn towards the northeast, with no service easterly from tarmac and rear of snack bar to US Route 1; daily from 6:00 am to 1:00 am

**DOWNEY WEAVER POST 34 BUILDING ASSOCIATION** to apply to premises located at 20 Whipple Drive – Class D Club. Designated premises: club building, picnic area and horseshoe pit area only; daily from 9:00 am to 1:00 am

**CHARLESTOWN RATHSKELLER TAVERN, INC.** d/b/a “Charlestown Rathskeller Tavern” to apply to premises located at 489A Old Coach Road - Class BV Full. Designated premises: The main restaurant building and patio adjacent to the tavern entrance on the east side, including the small deck, bocce court and horseshoe court areas; from the southeast corner of the restaurant, to include the spring house, the sauna area and fire pit; the grounds located southwest of the main entrance (west side) to approximately two hundred (200’) feet south of the employee parking lot; the open porch and deck on the west side of the restaurant; and from the north side of the restaurant up to the stone wall located approximately ten (10) feet from Old Coach Road. Hours of operation: Monday through Friday, 11:00 a.m. to 1:00 a.m. and Saturdays, Sundays and holidays 7:00 am to 1:00 am

b. Discussion and potential action to set the following cap on beverage licenses within the Town of Charlestown:

Class A: 2; Class B Full: 7; Class B Limited: 2; Class B Tavern: 1; Class D:1

c. Discussion and potential action regarding a request from the Charlestown Willows for their annual closure on September 16, 2013 and reopening on May 24, 2014

**12. CONSENT AGENDA** *All items marked with “CA” are to be considered consent agenda*

Motion to accept, approve and place on file the following as the consent agenda: 11a, 11b, 11c, 11d, 13a, 13b, 16a, 16b, 17a, 17b, 17c, 17d, 17e, 17f, 18b, 18c, 18d, 18e, 18f, 18g, 18h

## **11. LICENSES AND PERMITS**

“CA” a. Discussion and potential action regarding the applications received for General Entertainment Licenses for the following Beverage License Holders.

1. Birdmar Enterprizes Inc. d/b/a “The Cove” – Hours of Indoor Entertainment: Monday-Sunday, 7:00 p.m. to 1:00 a.m. Outdoor: Friday-Saturday, 7:00 p.m. to 12:00 midnight; Sunday-Thursday until 10:00 p.m.
2. Charlestown Willows Inc. d/b/a “Foster Pier Restaurant” – Hours of Entertainment: No later than 11:00 pm.
3. MGMR Group Inc. d/b/a/ “Meadow Brook Inn” – Hours of General Indoor/Outdoor Entertainment: Monday-Sunday 11:00 am to 12:00 midnight.
4. Old Wilcox Tavern, Inc. d/b/a “Wilcox Tavern” – Hours of Entertainment: Saturdays, 7:00 pm to 9:00 pm.
5. Marr, Craig T. d/b/a “The Breachway Grill LLC” – Hours of Entertainment: Daily, 6:30 pm to 11:00 pm
6. G.J.S.I, INC., d/b/a “General Joseph Stanton Inn” – Hours of Indoor Entertainment: Daily, 8:00 pm to 11:00 pm.
7. Downey Weaver Post Bldg Assoc. d/b/a “Downey Weaver Post No. 34 American Legion” – Hours of Entertainment: varies due to the functions but will start no earlier than noon and end 12:00 midnight.
8. Charlestown Rathskeller Tavern Inc. d/b/a “Charlestown Rathskeller Tavern” – Hours of Entertainment: Daily, 12:00 pm to 12:00 am.

“CA” b. Discussion and potential action regarding the approval of General Entertainment Licenses for the following businesses:

1. Johnny Angels Clam Shack - Saturday through Monday from 9:00 a.m. to 10:00 p.m. and Tuesday through Thursday from 2:00 p.m. to 10:00 p.m.
2. Small Axe Café – Sundays from 2:00 p.m. to 4:00 p.m. and Thursdays from 6:00 p.m. to 8:00 p.m.

“CA” c. Discussion and potential action regarding the approval of a retail firearms dealer’s license for the following businesses, subject to receipt of all required Local approvals and State and Federal licenses:

1. Top Guns, 10 Crossland St., Unit #5, Charlestown
2. O.T.S. Services LLC/Free Man’s Firearms, 557 Kings Factory Rd, Charlestown
3. Wright’s Pistol Smithing, 111 Hilltop Dr, Charlestown

“CA” d. Discussion and potential action regarding the approval of the following events at Ninigret Park with a recommendation from the Parks and Recreation Commission, subject to review of contracts by the Town Solicitor, receipt of all applicable paperwork and insurance and that all event details are satisfactorily met by the Parks and Recreation Director:

1. Event: 2014 Harvest Festival

Park Reservation: September 20, 2014

Camping: None

Insurance: Not Required

Fee: Waived

2. Event: 30<sup>th</sup> Annual Seafood Festival

Park Reservation: July 27 – August 6, 2014

Camping: 200 max campers (RV’s)

Insurance: \$2 million general liability; \$2 million liquor liability; \$5 million amusement liability; \$5 million pyrotechnics

Fee: \$9,000.00

3. Event: 2014 Sea Star Marketplace

Park Reservation: July 25 - 27, 2014

Camping: None

Insurance: \$2 million general liability

Fee: Waived

## **13. MINUTES AND REPORTS**

“CA” a. Town Council Minutes: October 2; October 7 (Executive and Regular)

“CA” b. Reports: Building Official – October 2013; Police Chief – September, October 2013; Public Works Director – September, October 2013; Town Clerk – October 2013; Treasurer – September 2013

## **16. COMMUNICATIONS AND PETITIONS**

“CA” a. Discussion and potential action regarding the communications between Alan Arsenault, Director of Public Works and Abbashek Acharya, P.E., Transportation Engineer of Green International Affiliates, Inc. containing information relative to 1R Highway Improvements to US Route 1 in Charlestown

“CA” b. Discussion and potential action regarding the memo from Matthew J. Dowling, Wastewater Manager and Stephen J. McCandless, GIS Coordinator regarding a potential US Department of Interior Hurricane Sandy Mitigation Grant Opportunity to be submitted in conjunction with the Rhode Island Coastal Resources Management Council

#### **17. APPOINTMENTS AND RESIGNATIONS**

“CA” a. Discussion and potential action regarding the appointment of Joseph Warner as Floodplain Manager

“CA” b. Discussion and potential action regarding the reappointment of Faith LaBossiere and Sean White to the Affordable Housing Commission, terms to expire in September of 2015

“CA” c. Discussion and potential action regarding the acceptance with regret of the resignation of Teresa Rose from the Parks and Recreation Commission

“CA” d. Discussion and potential action regarding the appointment of John Donoghue to the Senior Citizens Commission, with a recommendation from the Commission Chair, term to expire in January of 2015

“CA” e. Discussion and potential action regarding a request from the Town Clerk that Tara Welinsky be allowed to continue in her capacity as Interim Deputy Town Clerk until such time that the Deputy on medical leave returns to work full time.

“CA” f. Discussion and potential action regarding the reappointment of Frank Glista to the Economic Improvement Commission, term to expire in September of 2016

#### **18. FISCAL MATTERS**

“CA” b. Discussion and potential action regarding the authorization of the Town Administrator to extend vending contracts to the year 2014, through the season ending after Labor Day in September at the close of beach season in Charlestown as follows: Charlestown Town Beach to The Dog Pound in the amount of \$6,006 and Sam Ferretti Blue Shutters Beach to John Martin d/b/a/ Johnny Angels Clam Shack in amount of \$2,000.00

“CA” c. Discussion and potential action regarding the award of the bid for the Animal Shelter Roof Replacement to Pawcatuck Roofing in the amount of \$5,125.00, combining the costs of the base bid and Bid Alternate 2, which will provide a full ice and water shield base beneath new shingles for better insurance against leaks, as budgeted from line item 75.000.5100 and authorization of the Town Administrator and Town Treasurer, each, to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be necessary to carry into effect the foregoing

“CA” d. Discussion and potential action regarding the award of the bid to purchase a44 inch Hewlett Packard T2300ps Multifunction Printer Scanner from In-Stock Design Supply for an amount not to exceed \$7,695 as budgeted from line item 01.990.9942 and authorization of the Town Administrator and Town Treasurer, each, to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be necessary to carry into effect the foregoing

“CA” e. Discussion and potential action regarding the 48 month fair market value lease of two new Konica Minolta color BizHub C454E copiers, for an estimated cost of \$27,228.48, through the State MPA listing #337, the reassignment of one model Konica Minolta 432 copier to the Senior/Community Center and one Konica Minolta 432 copier elsewhere in the Town organization or potential trade-in as requested, as budgeted in line items 510.4970 and 490.4970, and authorization of the Town Administrator and Town Treasurer, each, to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be necessary to carry into effect the foregoing

“CA” f. Discussion and potential action regarding the award of the bid for Ninigret Park Restroom Renovation to Martone Service Company, Inc., for one half of the renovation project for an amount not to exceed \$25,683.00 as budgeted from line item 01.990.9941 and authorization of the Town Administrator and Town Treasurer, each, to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be necessary to carry into effect the foregoing

“CA” g. Discussion and potential action regarding the request from the Tax Assessor for abatements in the amount of \$7595.09

“CA” h. Discussion and potential action regarding the designation of Huntington Controls as an exclusive service/sole source vendor and approval of the replacement of the current HVAC system controller at the Charlestown Police Station (currently a Tridium R2 Niagara to be replaced with a Tridium AX Platform) for an amount not to exceed \$12,713.00 as budgeted from line item 75.000.5100 and authorization of the Town Administrator and Town Treasurer, each, to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be necessary to carry into effect the foregoing

#### **18. FISCAL MATTERS**

a. Discussion and potential action regarding a resolution rescinding borrowing authorizations for the following projects:

Buckeye Brook Road Reconstruction

FTM Approval 6/13/2005                      \$594,000.00

Buckeye Brook Road Reconstruction

FTM Approval 6/4/2007 \$788,800.00

Old Coach Road

FTM Approval 6/4/2007 \$500,000.00

i. Discussion and potential action regarding the approval of the submission of a RIDEM Parks and Recreation Grant application and authorization for the Town Council President to sign

**8. NEW BUSINESS**

a. Discussion and potential action regarding the creation of an Ad Hoc Committee (and announcement of vacancies, if the Committee is formed) to prepare a management plan for AP 17, Lot 186 ("Whalerock"), consisting of one member of the Conservation Commission, one member of the Planning Commission, one member of the Parks and Recreation Commission, two members from the community at large, and two members of the Town Council, interested in a conservation easement for passive recreation and designing trails for "Whalerock", to be returned to the Town Council with their recommendations in March 2014

b. Discussion and potential action regarding the deliberation and finalization of a Legislative Priority list for Washington County Regional Planning Council for our Legislators for the Legislative Session beginning January 2014

**3. PUBLIC COMMENT for items not on the Agenda**

**4. COUNCIL COMMENTS**

**5. PERSONS WISHING TO BE HEARD - None**

**6. ADMINISTRATOR, SOLICITOR, COMMISSION REPORTS**

a. Town Administrator

b. Town Solicitor

c. Commission Reports

**7. UNFINISHED BUSINESS - None**

**8. NEW BUSINESS**

c. Discussion and potential action regarding an amendment to §158-4.1 Friends of Ninigret Park, Code of the Town of Charlestown

d. Discussion and potential action regarding renaming the Town's new open space property along Route 1 that is currently called "Whalerock"

e. Discussion and potential action regarding items to be forwarded to the Superintendent of Chariho Regional School District for inclusion in the Omnibus meeting agenda, scheduled for January 15, 2014 at 7:00 p.m. in the Chariho Career and Technical Center

f. Discussion and potential action regarding updating the Town's website on Home Foreclosure information to reflect the new RI State Foreclosure Mediation Law

g. Discussion and potential action regarding the rotation of the voting sequence of the Town Council for each meeting in the following way: alphabetically for the November 2013 meeting, then for the next month move to the next name first alphabetically and rotate each month's meeting with a new Councilor voting first

h. Discussion and potential action regarding the nomination of The Charlestown Historical Society for the Hometown Hero Award

**9. PUBLIC HEARINGS - None**

**14. ANNOUNCEMENTS**

a. Board and Commission vacancies

**15. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS**

a. Discussion and potential action regarding a Resolution Regarding Student Safety and School Security

**19. LEGAL MATTERS - None**

**20. ADJOURNMENT**

The public is welcome to any meeting of the Town Council. If communication assistance (readers/interpreters/captions) is needed or any other accommodation to ensure equal participation, please call 711-364-1210 at least three (3) business days prior to the meeting.

**Advertised in the Westerly Sun – November 9, 2013**

**Posted at SOS, ClerkBase and at Town Hall – November 7, 2013**